

1655 #4

UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Patent Application of:

Group Art Unit: 1655

ADAMS *et al.*

Examiner: Chakrabarti, A.

Serial No. 09/867,193

Atty. Docket No. GP100-03.CN1

Filed: May 29, 2001

For: DECOY PROBES

JAN 18 2002

TECH CENTER 1600/2900

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
WITH CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants bring to the Examiner's attention the Russian language reference listed on the enclosed form PTO/SB/08 (in duplicate) for consideration in connection with the examination of the above-identified application. An English language abstract of this reference was previously cited in Applicants' Information Disclosure Statement dated May 29, 2001. Also enclosed is an English translation of this Russian language reference and certification executed by an authorized employee of Ralph McElroy Translation Company stating that this English translation conforms essentially to the original Russian language of the reference.

In accordance with the provisions of 37 C.F.R. § 1.97(e)(2), I hereby certify that the reference listed on the attached form PTO/SB/08 was not provided in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge, known to any individual designated in 37 C.F.R. § 1.56(c) more than three months ago. Accordingly, no fee is believed due in connection with this Information Disclosure Statement.

If Applicants are mistaken, and a final Office action or notice of allowance was mailed on or before the certified mailing date of this Information Disclosure Statement, then petition is hereby made under 37 C.F.R. § 1.97(d) for consideration of this Information Disclosure Statement.

IDS

Continuation of Serial No. 09/365,121
Atty. Docket No. GP100-03.CN1

In such a circumstance, the petition fee due under 37 C.F.R. § 17(i) should be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

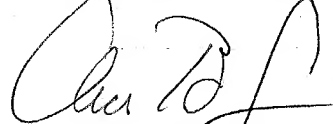
Applicants respectfully request that the Examiner indicate consideration of the enclosed reference by returning a copy of the attached form PTO/SB/08 with the Examiner's initials or other appropriate marks.

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date indicated below with sufficient postage as first class mail addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: December 5, 2001

By:

Respectfully Submitted,



Charles B. Cappellari
Registration No. 40,937
Attorney for Applicants

GEN-PROBE INCORPORATED
Patent Department
10210 Genetic Center Drive
San Diego, California 92121
PH: 858-410-8927
FAX: 858-410-8928

+

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Application Number	09/867,193
Filing Date	May 29, 2001
First Named Inventor	ADAMS et al.
Group Art Unit	1655
Examiner Name	Chakrabarti, A.
Attorney Docket Number	GP100-03.CN1

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.